

### REMARKS

Reconsideration of the application in view of the present amendment is respectfully requested.

Claims 1, 2, 11, and 14 are pending.

Claims 11 and 14 are rejected under 35 U.S.C. §101 for reasons stated in the Office Action. Claims 11 and 14 are amended with the Section 101 rejection in mind. It is believed that all of the bases for the rejection have been overcome.

Claims 1, 2, 11, and 14 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,432,506 to Chapman.

Applicant would like to point out that the rejection of claims 1, 2, 11, and 14 of the present application is improper for at least the following reasons.

#### Claim 1

First, Applicant would like to point out that claim 1 of the present application recites, inter alia, "... encoded information including apriori reference image quality data which is representative of at least one image quality characteristic associated with the at least one symbol which is pre-printed on the first area portion of the sheet material". The apriori reference image quality data may be in the form of a two-dimensional barcode 50 as shown in Fig. 1 of the present application.

In contrast, Chapman discloses a unique code generator 17 that generates a unique code based on selected characters from variable fields (see column 3, lines 11-15 of the specification of Chapman; also see reference number 18 in Fig. 1 of Chapman). The unique code 18 of Chapman is merely a group of numbers or letters (see column 3, lines 16-20 of the specification of Chapman). The unique code 18 of Chapman is not the same as apriori reference image quality data (as recited in claim 1 of the present application).

Second, Applicant would like to respectfully point out that while the content of the unique code 18 in Chapman may be considered to be encoded, the unique code 18 of Chapman does not comprise any apriori reference image quality data which is representative

of at least one image quality characteristic associated with a symbol which is pre-printed on a first area portion of sheet material (as recited in claim 1 of the present application). Nowhere does Chapman disclose that the unique code 18 comprises apriori reference image data as the Office would like to suggest.

### **Claim 2**

First, Applicant would like to point out that claim 2 of the present application recites, inter alia, "...encoded information including apriori reference image quality data which is representative of at least one image quality characteristic associated with the at least one symbol which is other than a MICR codeline and which is pre-printed on the first area portion of the sheet material". The apriori reference image quality data may be in the form of a two-dimensional barcode 50 as shown in Fig. 1 of the present application.

In contrast, Chapman discloses a unique code generator 17 that generates a unique code based on selected characters from variable fields (see column 3, lines 11-15 of the specification of Chapman; also see reference number 18 in Fig. 1 of Chapman). The unique code 18 of Chapman is merely a group of numbers or letters (see column 3, lines 16-20 of the specification of Chapman). The unique code 18 of Chapman is not the same as apriori reference image quality data (as recited in claim 2 of the present application).

Second, Applicant would like to respectfully point out that while the content of the unique code 18 in Chapman may be considered to be encoded, the unique code 18 of Chapman does not comprise any apriori reference image quality data which is representative of at least one image quality characteristic associated with the at least one symbol which is other than a MICR codeline and which is pre-printed on a first area portion of sheet material (as recited in claim 2 of the present application). Nowhere does Chapman disclose that the unique code 18 comprises apriori reference image quality data as the Office would like to suggest.

**Claim 11**

Applicant notes from the Office Action that the Office seems to suggest that the unique code 18 of Chapman comprises "...encoded information including apriori reference image quality data which is representative of at least one image quality characteristic associated with the at least one symbol which is pre-printed on the first area portion of the sheet material" (as recited in claim 11 of the present application).

In this regard, Applicant would like to respectfully point out that while the content of the unique code 18 of Chapman may be considered to be encoded, the unique code 18 of Chapman does not include any apriori reference image quality data which is representative of at least one image quality characteristic associated with a symbol which is pre-printed on a first area portion of sheet material as the Office would like to suggest. The unique code 18 of Chapman is merely a group of numbers or letters (see column 3, lines 16-20 of the specification of Chapman).

**Claim 14**

Applicant notes from the Office Action that the Office seems to suggest that the unique code 18 of Chapman comprises "...encoded information including apriori reference image quality data which is representative of an image quality characteristic associated with a symbol which is other than a magnetic ink character recognition (MICR) codeline and which is pre-printed on the first area portion of the check" (as recited in claim 14 of the present application).

In this regard, Applicant would like to respectfully point out that while the content of the unique code 18 of Chapman may be considered to be encoded, the unique code 18 does not include any apriori reference image quality data which is representative of at least one image quality characteristic associated with a symbol which is other than a MICR codeline and which is pre-printed on a first area portion of a check as the Office would like to suggest. The unique code 18 of Chapman is merely a group of numbers or letters (see column 3, lines

16-20 of the specification of Chapman).

If the Office continues to reject claims 1, 2, 11, and 14 of the present application by applying Chapman, it is respectfully requested that the Office specifically explain the following:

- (i) where Chapman discloses that the unique code 18 comprises apriori reference image quality data which is representative of at least one image quality characteristic; and
- (ii) how the numbers and letters of Chapman's unique code 18 shown in Fig. 1 of Chapman includes apriori reference image quality data which is representative of at least one image quality characteristic.

Absent an adequate explanation, it is respectfully submitted that the rejection of claims 1, 2, 11, and 14 of the present application is improper and, therefore, should be withdrawn.

In view of the foregoing, it is submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Respectfully submitted,



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